

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

House Engrossed
FILED
KEN BENNETT
SECRETARY OF STATE

CHAPTER 127

HOUSE BILL 2319

AN ACT

AMENDING SECTION 28-6705, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2010,
CHAPTER 244, SECTION 15; RELATING TO COUNTY HIGHWAYS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-6705, Arizona Revised Statutes, as amended by
3 Laws 2010, chapter 244, section 15, is amended to read:

4 28-6705. Public road and street maintenance

5 A. The board of supervisors may spend public monies for maintenance of
6 public roads and streets other than legally designated state and county
7 highways located without the limits of an incorporated city or town. Before
8 spending public monies under this section, the roads or streets shall be
9 both:

10 1. Laid out, opened and constructed without cost to the county.

11 2. Completed pursuant to a plat approved pursuant to sections 11-802
12 and 11-822 and in accordance with standard engineering road specifications
13 adopted by the board of supervisors to ensure uniform compliance.

14 B. The board of supervisors may spend public monies for maintenance of
15 public roads and streets THAT WERE laid out, constructed and opened before
16 June 13, 1975, OR THAT HAVE BEEN DESIGNATED AS PRIMITIVE ROADS PURSUANT TO
17 SECTION 28-6706, SUBSECTION D, even if the roads and streets were not
18 constructed in accordance with subsection A of this section.

19 C. Maintenance of a public road or street does not include purchasing
20 or laying cement. To reduce long-term maintenance costs for maintenance
21 authorized by this section, the board of supervisors may spend monies to add
22 rock products, gravel and processed materials to the base of the roads and
23 streets. Petroleum based or nonpetroleum based products may be used in the
24 maintenance and repair of unpaved roads, alleys and shoulders identified
25 pursuant to section 9-500.04 or 49-474.01 or unpaved roads, alleys and
26 shoulders in any county where the control officer as defined in section
27 49-471 certifies to the board of supervisors that emissions from such roads,
28 alleys or shoulders may endanger compliance with the national ambient air
29 quality standard as defined in section 49-401.01.

30 Sec. 2. Effective date

31 This act is effective from and after September 30, 2011.

APPROVED BY THE GOVERNOR APRIL 15, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 15, 2011.

Passed the House March 3, 20 11

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting

[Signature]
Speaker of the House

Cheryl Laube
Chief Clerk of the House

Passed the Senate April 12, 20 11

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

[Signature]
President of the Senate

Charmain Ballington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

12 day of April, 20 11

at 3:30 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 15th day of

April

at 11:58 o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 15th day of April, 20 11

at 3:31 o'clock P. M.

[Signature]
Secretary of State

H.B. 2319